IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.56704-M of 2006

DATE OF DECISION: NOVEMBER 13, 2006

Resham Singh

...PETITIONER

*VERSUS*

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. P.S.Brar, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

...

Petitioner Resham Singh has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.75 dated 18.4.2006 registered under Sections 307/382/324/323/148/149 IPC and Sections 25/27/54/59 of the Arms Act at Police Station City, Faridkot.

I have heard the counsel for the parties and gone through the contents of the FIR as well as the order dated 17.6.2006 passed by the Sessions Judge, Faridkot.

Counsel for the petitioner contends that in the aforesaid case it has been alleged that the petitioner gave a kirpan blow on the head above the left ear of Amit Kumar and co-accused Khazan Singh gave a kirpan blow on the head of Amit Kumar. Those injuries are alleged to be grievous in nature. Counsel for the petitioner further contends that in the said incident, two persons from the side of the petitioner had also received injuries and the petitioner is in custody since 16.5.2006. Counsel also contends that the injured has already been discharged. The trial is not going

to conclude soon as no prosecution witness has yet been examined. Even during the investigation, co-accused Khazan Singh has been found innocent. Counsel contends that the entire version given by the complainant's side is not correct as actually the other side was aggressor and wanted to take forcible possession of the area of the petitioner.

Without expressing any opinion on the merits of the case and keeping in view the fact that the trial is not going to conclude soon and the fact that the petitioner is in custody since 16.5.2006 and the injured has already been discharged, I deem it appropriate to grant regular bail to the petitioner, and he is accordingly ordered to be released on bail to the satisfaction of the trial Court.

November 13, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE